

ORDER

Pursuant to Trial Rule 81 of the Indiana Rules of Court, the Court now Orders that the following new Local Rule is adopted effective immediately. The Court finds that good cause exists to deviate from the schedule established pursuant to TR 81(C).

Pursuant to TR 81(D) an opportunity for the bar and the public to comment on this proposed new local rule shall continue until May 15, 2006, and comments shall be made to:

Judge William C. Fee
Steuben Superior Court
55 South Public Square
Angola, IN 46703
wfee@co.steuben.in.us

The Court further Orders that notice of the adoption of this Local Rule shall be provided to the Division of State Court Administration, to the Clerk of Steuben County for posting in the Office of said Clerk and on the website of said Office if applicable, and to the Steuben County Bar Association.

All of which is Ordered this 3rd day of April, 2006.

Allen N. Wheat
Steuben Circuit Court

William C. Fee
Steuben Superior Court

- a. In all criminal cases, a Public Defender appointment shall be made only upon sworn evidence given in open court or by affidavit in a form authorized by the court.
- b. All misdemeanor cases qualified for a public defender appointment shall be assigned to the Public Defender working under the budget of the Steuben Superior Court unless the defendant also has a pending unrelated felony case. This position shall hereinafter be referred to as "Misdemeanor Public Defender".
- c. All felony cases qualified for a public defender appointment shall be assigned equally and on a rotating basis between the Public Defenders working under the Public Defender Board Budget. This position shall hereinafter be referred to as a "Felony Public Defender."
 - a) All cases regarding the same defendant shall be assigned to the same Public Defender.
 - b) If a defendant currently represented by the Misdemeanor Public Defender is thereafter charged with a felony, that defendant's existing misdemeanor cases shall be re-assigned to a Felony Public Defender along with assignment of the new felony case.
- d. In all Public Defender cases, whenever a warrant is issued for the defendant's failure to appear, the presiding judge shall make the following entry on the Chronological Case Summary or by court order:

In the event the defendant is not returned to the jurisdiction of the court within 90 days, the appointment of the Public Defender shall be automatically vacated and set aside. Should the defendant thereafter be returned to the jurisdiction of the court, the appointment of the Public Defender shall be automatically reinstated, pending further review.

e. Public Defender appointments vacated pursuant to paragraph 4 above shall be removed from the count of the Public Defender caseload.